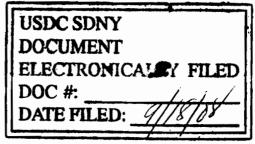
UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK		
	X	
IN RE METHYL TERTIARY BUTYL ETHER	:	
PRODUCTS LIABILITY LITIGATION	:	M M
	X	171
This document relates to:	:	ΩĐ
Chisholm Creek Utility Auth. v. Alon USA Energy, Inc.,	:	OR PRI
et al. Case No. 04-CV-02061	:	
	Y	

with prejudice from this action should be granted and that:



Master File No. 1:00-1898 MDL 1358 (SAS), M21-88

ORDER OF DISMISSAL WITH PREJUDICE

The Plaintiff and those Settling Defendants that are parties in this action as set forth on the attached Exhibit A have advised the Court that they have resolved the matters between them pursuant to the Settlement Agreement¹, and Plaintiff has now moved without opposition for the entry of this agreed upon dismissal of all claims of any kind pending against the Settling

In Re: Methyl Defendants with prejudice.") The Court inhibit that they have resolved the matters between them

Doc. 2036

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

- The Plaintiff and Settling Defendants have advised the Court that they have resolved the matters between them pursuant to a Settlement Agreement and a release.
- 2. Pursuant to the Settlement Agreement, the settling parties consent to the dismissal with prejudice of Settling Defendants only from this action.

The Settlement Agreement dated as of March 12, 2008 ("Settlement Agreement") was filed with this Court on May 7, 2008 in connection with a motion for good faith determination under California and Illinois law in certain other cases. This motion was granted and a judgment entered. See Amended Opinion and Order at 2008 WL 2944653 (July 30, 2008). The term "Settling Defendants" used herein is as defined in the Settlement Agreement.

- 3. No other parties have objected to the dismissal of the above entitled action with prejudice as to the Settling Defendants only.
- 4. Therefore, this action, including all claims, counterclaims, and cross-claims of any kind, is hereby dismissed with prejudice only as to those Settling Defendants that have been named or have appeared in the above captioned action, including those identified on the attached Exhibit A, with each party to bear its own costs and attorneys' fees.

ENTERED this 17 day of September, 2008:

Honorable Shira A. Scheindlin

EXHIBIT A

The Settling Defendants below are named defendants in the case of *Chisholm Creek Utility Auth. v. Alon USA Energy, Inc., et al.* Case No. 04-CV-02061 and are listed as they appear in the caption of Plaintiffs' complaint (even if erroneously identified or no longer in existence).

- 1. Amerada Hess Corporation
- 2. Ashland Inc.
- 3. Atlantic Richfield Company, individually and d/b/a ARCO Products Company (f/k/a ARCO Petroleum Co.), and a/k/a ARCO
- 4. BP Amoco Chemical Company, individually and f/k/a Amoco Chemical Company
- 5. BP Products North America, Inc., individually and as successor-by-merger to Amoco Oil Company and BP Exploration and Oil Inc., successor-by-merger to BP North America, Inc.
- 6. ChevronTexaco Corporation, individually and as successor-in-interest to Chevron Corporation and as successor-in-interest to Texaco, Inc.
- 7. Chevron U.S.A., Inc., individually and f/k/a Gulf Oil Corporation (d/b/a Chevron Products Company, d/b/a Chevron Chemical Company)
- 8. CITGO Petroleum Corporation
- 9. CITGO Refining and Chemicals Company, LP
- 10. Coastal Eagle Point Oil Company
- 11. Coastal Mobile Refining Company
- 12. ConocoPhillips Company, individually and as successor-in-interest to Conoco Inc. and Phillips Petroleum Company, and d/b/a Phillips 66 Company
- 13. El Paso CGP Company, individually and f/k/a The Coastal Corporation
- 14. El Paso Corporation, individually and f/k/a El Paso Energy Corporation
- 15. El Paso Merchant Energy-Petroleum Company, individually and f/k/a Coastal Refining and Marketing, Inc. and f/k/a Coastal States Trading, Inc.
- 16. Equilon Enterprises, LLC, individually and a/k/a Shell Oil Products US
- 17. Flint Hills Resources, LP
- 18. Marathon Ashland Petroleum, LLC
- 19. Marathon Oil Company, individually and f/k/a USX Corporation (f/k/a United States Steel Corporation)
- 20. Motiva Enterprises, LLC, individually and f/k/a Star Enterprises LLC
- 21. PDV Midwest Refining, LLC
- 22. The Premcor Refining Group, Inc., individually and f/k/a Clark Refining
- 23. Shell Oil Company
- 24. Shell Oil Products Company
- 25. Shell Oil Products Company, LLC
- 26. Shell Petroleum, Inc.
- 27. Shell Trading (US) Company, individually and f/k/a Equiva Trading Company, and a/k/a STUSCO
- 28. Sunoco, Inc., individually and f/k/a Sun Oil Company, and f/k/a Sun Company, Inc.
- 29. Sunoco, Inc. (R&M), individually and f/k/a Sun Refining and Marketing Company and f/k/a Sun Company, Inc. (R&M)
- 30. Texaco Inc.
- 31. Texaco Refining and Marketing, Inc. (a/k/a TRMI Holdings)

- 32. Tosco Corporation, individually and a/k/a Tosco Refining Company and a/k/a Tosco Marketing Company
- 33. Unocal Corporation, individually and f/k/a Union Oil Company of California
- 34. Valero Energy Corporation
- 35. Valero Marketing and Supply Company
- 36. Valero Refining and Marketing Company